

Message Text

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FROM LOSDEL

E.O. 11652: N/A
TAGS: PLOS
SUBJECT: AMBASSADOR RICHARDSON'S STATEMENT ON SEABED
MINING LEGISLATION

FOLLOWING IS THE STATEMENT MADE BY AMBASSADOR RICHARDSON
AT THE GENERAL COMMITTEE ON AUGUST 28, IN RESPONSE TO THE
G-77 STATEMENT (SENT SEPTTEL).
MR. PRESIDENT:

I HAVE LISTENED WITH RESPECT TO THE VIEWS EXPRESSED BY THE
DISTINGUISHED REPRESENTATIVE OF FIJI ON BEHALF OF THE
GROUP OF 77, AND I DO NOT WISH TO PRECIPITATE A LENGTHY
DEBATE ON THE SUBJECT OF THE DEEP SEABED MINING LEGISLATION.
HOWEVER, IN MY VIEW AND IN THE VIEW OF THE OTHER COUNTRIES
WHOSE ENTERPRISES ARE NOW IN THE PROCESS OF DEVELOPING THE
MEANS OF RECOVERING HARD MINERALS FROM THE DEEP SEABED, THE
CONCEPT OF THE COMMON HERITAGE OF MANKIND, WHICH WE
SUPPORTED IN 1970 AND TO WHICH WE STILL SUBSCRIBE, HAS NEVER
MEANT THAT THESE RESOURCES MUST REMAIN UNEXPLOITED IN THE
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ABSENCE OF AN INTERNATIONALLY AGREED SEABEDS REGIMES. I
WOULD HAVE THOUGHT THIS POINT WOULD HAVE BEEN MADE CLEAR
BY OUR CONCURRENT OPPOSITION TO THE MORATORIUM RESOLUTION,
WHICH WAS NOT ADOPTED BY CONSENSUS.

IN OUR VIEW, STATES AND THEIR NATIONALS HAVE THE LEGAL
RIGHT TO USE THE MINERAL RESOURCES OF THE DEEP SEABED BEYOND

NATIONAL JURISDICTION. THIS IS A FREEDOM OF THE HIGH SEAS WHICH HAS NOT BEEN ABRIDGED EITHER BY ANY TREATY OR BY CUSTOMARY INTERNATIONAL LAW. ALTHOUGH WE ARE ALL ENGAGED IN THE PROCESS OF DEVELOPING A TREATY, THIS PROCESS HAS PROVED LONG AND DIFFICULT, AND ITS SUCCESSFUL CONCLUSION IS NOT YET AT HAND.

I UNDERSTAND WHY THE GROUP OF 77 WOULD PREFER THAT WE AGREE TO DEFER ANY MINING UNTIL AN AGREED TREATY CAN BE CONCLUDED, BUT I TRUST THE GROUP WILL ALSO UNDERSTAND WHY WE CANNOT RESPONSIBLY DO THAT IN FACE OF THE WORLD'S LONG-RANGE NEED FOR THE MINERALS AND THE MORE IMMEDIATE NEED TO PROCEED WITH THE RESEARCH AND DEVELOPMENT THAT WILL IN TURN LEAD TO THE BEGINNING OF COMMERCIAL MINING. FAR FROM JEOPARDIZING THE CONFERENCE, SEABED MINING LEGISLATION SHOULD FACILITATE THE EARLY CONCLUSION OF A GENERALLY ACCEPTABLE LAW OF THE SEA TREATY BY DISPELLING ANY IMPRESSION THAT THE GOVERNMENTS OF THE COUNTRIES PREPARING TO ENGAGE IN SUCH MINING CAN BE INDUCED TO ACQUIESCE IN AN OTHERWISE UNACCEPTABLE TREATY BECAUSE THAT IS THE ONLY WAY TO OBTAIN THE MINERALS.

MR. PRESIDENT, SO FAR AS THE US IS CONCERNED, THE GOAL OF MY GOVERNMENT REMAINS THE EARLIEST POSSIBLE CONCLUSION OF A GENERALLY ACCEPTABLE LAW OF THE SEA TREATY, AND I BELIEVE THE LEGISLATION NOW BEFORE THE CONGRESS TO BE ENTIRELY UNCLASSIFIED

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COMPATIBLE WITH THE PRINCIPLES ON WHICH THE EVENTUAL TREATY WILL BE FOUNDED:

--IT RECOGNIZES THAT THE RESOURCES OF THE SEABED ARE THE COMMON HERITAGE OF MANKIND.

-- IT REQUIRES THAT REVENUES BE SET ASIDE FOR DEVELOPING COUNTRIES.

-- IT REQUIRES STRINGENT STANDARDS FOR THE PROTECTION OF THE MARINE ENVIRONMENT.

-- IT DOES NOT ASSERT ANY RIGHT OF SOVEREIGNTY OR SOVEREIGN RIGHTS OVER SEABED MINE-SITES.

-- IT WILL BE SUPERSEDED WHENEVER A LAW OF THE SEA TREATY TAKES EFFECT WITH REGARD TO THE UNITED STATES.

-- IT DOES NOT DECLARE OR IMPLY ANY INTENTION THAT AMERICAN SEABED MINING COMPANIES SHOULD REMAIN OUTSIDE THE JURISDICTION OF AN INTERNATIONAL SEABED AUTHORITY UNDER SUCH A TREATY.

FINALLY, MR. PRESIDENT, UNDER THE LEGISLATION THAT HAS
JUST EMERGED FROM THE SENATE COMMITTEE ON FOREIGN RELATIONS,
NO PERMITS FOR COMMERCIAL RECOVERY OF HARD MINERAL
RESOURCES COULD IN ANY CASE BE ISSUED FOR SEVERAL YEARS.
THIS WILL ALLOW AMPLE TIME FOR OUR NEGOTIATIONS TO CONCLUDE,
THUS ASSURING THAT SEABED RESOURCES WILL BE DEVELOPED ONLY
UNDER THE INTERNATIONAL REGIME WE ARE STRIVING TO
ACHIEVE.

THANK YOU, MR. PRESIDENT.

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